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26 January 1972
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MEMORANDUM FOR THE RECORD

SUBJECT: Conversation with Irving Kator re S.2515, Equal
Employment Opportunities Enforcement Act

1. Irving Kator, Assistant Executive Director of the Civil Service Commission, called Colonel White yesterday to report that they are sending Eugene Mittelman (General Counsel, Minority Staff, Senate Labor and Public Welfare Committee) a paper which states that the Commission's authority under Executive Order 11478 does not prevail over the Director's 102(c) authority. (This confirms what Tony Mondello, General Counsel of the Commission, said in response to [REDACTED] earlier inquiry.)

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2. Today I followed up by calling Kator and in response to my questions he informed me that:

(a) he did not have any specific idea what Mittelman would do now, although Mittelman told him that he thought he could take care of our problem with legislative history in the conference report;

(b) CSC does not have any specific suggestions on how Mittelman might accomplish this, aside from the suggested amendments that had been sent to Mittelman earlier;

(c) he understands that we intend to take the initiative to resolve the problem.

3. In addition to the above, Kator volunteered that the Commission's General Counsel doesn't believe that the Agency would be hurt by the proposed law as written. Perhaps we should work on Mondello further to prevent a statement like this hurting our chances from getting the legislation relief we think we need.

[REDACTED]

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Assistant Legislative Counsel

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